

1. AUTHORITY

The Government Information Technology Agency (GITA) shall develop, implement and maintain a coordinated Statewide plan for information technology (IT) (A.R.S. § 41-3504(A (1))), including formulation of policies to effectuate the purposes of the agency (A.R.S. § 41-3504(A (13))).

2. PURPOSE

This policy establishes that each budget unit shall develop and implement a privacy policy that identifies appropriate information practices and protection of all personal information collected from its citizens and consumers as defined by A.R.S § 41-4152, Obligations of State Agencies Obtaining Information On-Line.

3. SCOPE

A budget unit is defined as a department, commission, board, institution or other agency of the state organization receiving, expending, or disbursing state funds or incurring obligations of the state including the Arizona Board of Regents but excluding the universities under the jurisdiction of the Arizona Board of Regents, the community college districts and the legislative or judicial branches. A.R.S. § 41-3501(2).

The Budget Unit Chief Executive Officer (CEO), working in conjunction with the Budget Unit Chief Information Officer (CIO), shall be responsible for ensuring the effective implementation of Statewide Information Technology Policies, Standards, and Procedures (PSPs) within each budget unit.

4. POLICY

This policy establishes that each budget unit shall develop and implement a privacy policy statement for inclusion on its website, depending on statutory and/or program requirements of the budget unit. The intent is to protect the rights of its citizens by adhering to fair information practices and requirements listed below:

4.1. NOTICE OF INFORMATION PRACTICES

As required by A. R. S. § 41-4152, budget unit websites shall provide clear and conspicuous notice of their information practices, including the following:

- a. What Services the budget unit website provides;
- b. What information is obtained from individuals online;
- c. How information is collected (directly or indirectly through cookies, log files, etc.);
- d. Whether an individual's requested data is optional or required as well as alternatives that exist should the individual choose not to supply information or proceed with the online transaction;

- e. How the budget unit uses the information;
- f. How the budget unit discloses or disseminates information to other entities or persons;
- g. Whether other entities or persons are collecting information through the budget unit's website;
- h. Other external links.
- i. Each budget unit shall provide a general description of its security practices without compromising the integrity of its website security measures.
- j. All citizens shall have the ability to access budget unit websites and public content without revealing who they are or any other type of personal information.

4.2. PERSONAL INFORMATION AND CHOICE

Personal information means any information that may be used to identify an individual, including, but not limited to his or her name, social security number, physical description, race, ethnic origin, sexual orientation, income, blood type, DNA code, fingerprints, marital status, religion, home address, home telephone number, education, financial matters, and medical or employment history readily identifiable to a specific individual.

- 4.2.1. Budget unit websites shall provide opt-in/opt-out options regarding the sharing of personal information with other parties. Such options shall be based on the following principles:
- a. Arizona programs increasingly interact with federal programs, local governmental organizations, and other State agencies. Each program defines how it must deal with confidential information and what protections are needed at both the State and federal level to assure delivery of benefits and services. Budget unit websites shall implement online services that provide access to such programs using "opt-in" or "opt out" provisions, depending on applicable statutes or administrative rules.
 - b. Arizona programs that share information with third-party, commercial organizations due to the Freedom of Information Act, the Arizona Public Records law, or applicable State statutes shall provide an "opt-out" feature on the budget unit's website. If private organization(s) are under State contract to provide benefits and services, the contracting organization shall be considered as part of the "opt-in" effort.
 - c. Each budget unit shall ensure that private organizations under State contract do not disclose or disseminate confidential information to other third-party entities, unless authorized under contract and therefore considered as part of the "opt-in" effort.
 - d. No budget unit shall sell, share, or otherwise disclose any information obtained by indirect means through a data collection

device to any other entity or person (e.g., cookies, log files, etc.), except at the request of a law enforcement agency to conduct a lawful investigation.

4.3. PERSONAL INFORMATION ACCESS AND ACCURACY

Budget Units collecting personal information through computer system(s), shall offer individuals reasonable access for updating or correcting personal information:

- 4.3.1. Personal information shall only be collected from individuals to accomplish a legitimate business objective and/or statutory requirement. It shall be adequate, relevant, and not excessive in relation to its business programs, objectives, and/or statutory obligations.
- 4.3.2. Budget units shall provide Internet access for individuals to update and/or correct personal information on state services and benefits. Such functionality shall comply with Statewide Standards S810 Account Management, and S820 Authentication and Directory Services.
- 4.3.3. Budget units shall provide a contact email address on its website for the public to respond to any issues and concerns with personal information. The budget unit shall take prudent efforts to respond to such concerns and procedures for correcting errors and omissions and/or changes.

4.4. THIRD PARTY DISCLOSURE

- 4.4.1. Personal information shall not be disclosed for reasons incompatible with the Budget Unit's business programs, objectives, and/or statutory obligations. Budget unit disclosures of personal information shall be explained on budget unit web sites and electronically flagged/noted when distributed to third party organizations other than city, county, state, and/or federal government. Such disclosures shall be maintained as long as the data is maintained.
- 4.4.2. Budget units providing health and human services shall comply with the U.S. Department of Health and Human Services Privacy Rule of disclosure of individuals health information according to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Should conflicts arise between HIPAA requirements and this policy, HIPAA requirements shall prevail.

4.5. COLLECTION OF PERSONAL INFORMATION

- 4.5.1. At a minimum, the home-page of each budget unit website and each webpage on which the budget unit requests or requires an individual to provide information (key public entry points) shall provide a hypertext

link to display the privacy policy statement(s) of the budget unit's program (see example in Attachment A).

- 4.5.2. If a budget unit website requests social security numbers to provide benefits and services, the budget unit shall:
- a. Disclose the federal and/or State legal authority under which it is collecting the individual's social security number;
 - b. Explain the uses that will be made of the individual's social security number; and
 - c. Inform the individual that failure to provide the social security number may result in the denial of an application, benefit, or service.
- 4.5.3. If no federal and/or State legal authority exists for requesting social security numbers, the budget unit shall:
- a. Inform the individual that providing a social security number is voluntary;
 - b. Explain the uses that will be made of the individual's social security number; and
 - c. State that no adverse action will result from an individual's failure to voluntarily provide a social security number.
- 4.5.4. In the event of a conflict between State law and federal law regarding the disclosure of social security numbers, federal law shall prevail.

4.6. PERSONAL INFORMATION SECURITY - ANTI-IDENTITY THEFT
Budget Units shall comply with the following statutes that can be found at <http://www.azleg.state.az.us/>.

- 4.6.1. A.R.S. § 41-4172. Anti-Identification Procedures.
- Anti-Identification Procedures for budget units can be further strengthened by complying with all P800-S800 IT Security Standards located at http://azgita.gov/policies_standards/
- 4.6.2. A.R.S. § 44-7501. Notification of Breach of Security System; Enforcement; Civil Penalty; Preemption; Exceptions; Definitions. The following additional information shall be used on whom to notify, contents of notice, and style of notice, when data/information has been breached:
- Whom to Notify: Budget units shall notify all affected individuals that can be identified. For individuals that cannot be identified notify groups of individuals from a master or temporary file where such information has been compromised.

- Contents of Notice: Notifications to the public shall contain a general description of what happened; the nature of personal information involved; what has been done to protect personal information from further unauthorized damages; explain about notifying credit reporting agencies for fraud alert (Equifax, Experian, and Trans Union), as well as information on what individuals can do to protect themselves from identity theft by checking the Office of the Attorney General's web site located at http://www.azag.gov/cybercrime/ID_Theft.html or the Department of Public Safety at <http://www.azvictims.com/identity/default.asp>
- Form and Style of Notice: The notification must be clear, conspicuous and helpful; use simple language, guiding subheads and plenty of white space in the layout; avoid jargon or technical language; the notice should be a stand-alone document and not combined as part of another mailing.
- Such notification and disclosure will help the public take action on protecting themselves against, or mitigate damages from identity theft and other possible harm.

4.6.3. A.R.S. § 44-7601. Discarding and Disposing of Records Containing Personal Identifying Information; Civil Penalty; Enforcement; Definition.

- Budget Units shall refer to Statewide Standard S880 Media Sanitizing/Disposal on final disposition of public/official records maintained on all IT devices with the Arizona State Library, Archives, and Public Records (ASLAPR) A.R.S. § 41-1339. When final disposition has been completed, the process of discarding and disposing of data/records can then be performed.

4.7. ONLINE SERVICES FOR CHILDREN

If a budget unit website provides online services directed to children under 13 years of age, the budget unit shall comply with the Children's Online Privacy Protection Act (COPPA) of 1998, (P.L. 105-277; 112 STAT. 2681; 15 United States Code Sections 6501 through 7506) and 16 Code of Federal Regulations Part 312. Refer to <http://www.ftc.gov/kidzprivacy> for details.

5 DEFINITIONS AND ABBREVIATIONS

Refer to the PSP Glossary of Terms located on the GITA website at http://www.azgita.gov/policies_standards/ for definitions and abbreviations.

6 REFERENCES

- 6.1. A. R. S. § 39-121, Arizona Public Records Law.
- 6.2. A. R. S. § 41-621 et seq., "Purchase of Insurance; coverage; limitations, exclusions; definitions."
- 6.3. A. R. S. § 41-761 et seq., "Personnel Administration."
- 6.4. A. R. S. § 41-1335 ((A (6 & 7))), "State Agency Information."
- 6.5. A. R. S. § 41-1339 (A), "Depository of State Archives."
- 6.6. A. R. S. § 41-1461, "Definitions."
- 6.7. A. R. S. § 41-1463, "Discrimination; unlawful practices; definition."
- 6.8. A. R. S. § 41-1492 et seq., "Prohibition of Discrimination by Public Entities."
- 6.9. A. R. S. § 41-2501 et seq., "Arizona Procurement Codes, Applicability."
- 6.10. A. R. S. § 41-3501, "Definitions."
- 6.11. A. R. S. § 41-3504, "Powers and Duties of the Agency."
- 6.12. A. R. S. § 41-3521, "Information Technology Authorization Committee; members; terms; duties; compensation; definition."
- 6.13. A.R.S. § 41-4151, "Definitions."
- 6.14. A.R.S. § 41-4152, "Obligations of State Agencies Obtaining Information Online."
- 6.15. A. R. S. § 44-7041, "Governmental Electronic Records."
- 6.16. Arizona Administrative Code, Title 2, Chapter 5, "Department of Administration, Personnel Administration."
- 6.17. Arizona Administrative Code, Title 2, Chapter 7, "Department of Administration Finance Division, Purchasing Office."
- 6.18. Arizona Administrative Code, Title 2, Chapter 10, "Department of Administration Risk Management Section."
- 6.19. Arizona Administrative Code, Title 2, Chapter 18, "Government Information Technology Agency."
- 6.20. Children's Online Privacy Protection Act (COPPA), Title XIII (Refer to <http://www.ftc.gov/kidzprivacy>.)
- 6.21. COPPA, Section 1303, Regulation of Unfair and Deceptive Acts and Practices in Connection with the Collection and Use of Personal Information From and About Children on the Internet.
- 6.22. COPPA, Section 1304, Safe Harbors.
- 6.23. COPPA, Section 1305, Actions by States.
- 6.24. COPPA, Section 1306, Administration and Applicability of Act.
- 6.25. COPPA, Section 1307, Review.
- 6.26. COPPA, Section 1308, Effective Date.
- 6.27. Freedom of Information Act, U.S. Department of State, 5 U.S.C. § 552, as amended by Public Law No. 104-231, 110 Stat.2422.
- 6.28. [Statewide Policy P100, Information Technology](#).
- 6.29. [Statewide Policy P800, IT Security](#).

7. ATTACHMENTS

- A. Example Privacy Policy Statement

Attachment A – Example of a Privacy Policy Statement

State of Arizona “Arizona @ Your Service” Privacy Policy Statement

Thank you for visiting Arizona @ Your Service and reviewing our Privacy Policy Statement. Arizona @ Your Service provides a convenient “Front Door” to various information and services available from the State of Arizona by linking you to various other websites. Though this web portal does not request information from you directly, individual websites you access through the portal may request specific information from you. This statement is included to inform you solely about the information that could be collected online as a result of visiting Arizona @ Your Service itself and not as a result of following a link from Arizona @ Your Service to reach a State agency’s website or online service. All individual agency websites of the State of Arizona are required to contain a Privacy Policy Statement that describes what information is being obtained online, how that information will be used, and what steps are being taken to ensure the security of customer data. Your rights to privacy are of utmost importance to the State of Arizona in building trust and confidence when conducting business through the Internet.

Online Customer Service and Alternatives

Arizona @ Your Service offers many of the services online that you might otherwise transact in person. Our goal is to provide citizens with a more convenient and efficient means in which to interact with Arizona government. If at any time you choose not to proceed with a transaction offered through the Arizona @ Your Service Portal, your choice will in no way affect your ability to receive benefits or services. If you prefer to apply for benefits or services in person, you may do so at the respective State agency providing such benefits and/or services.

Collection and Use of Information

Arizona @ Your Service does not use “cookies” to gather information during your visit. Individual websites you access through the portal may use “cookies,” however, and are required to define their use in the separate privacy policy located on the specific site. The web server that hosts Arizona @ Your Service does gather certain information about the visit automatically in a standard log file. This information never identifies you personally and consists of only the following items:

1. The Internet domain (for example, "xcompany.com" if you use a private Internet access account, or "yourschool.edu" if you connect from a university's domain) from which you access the website;
2. The IP address (an IP address is a number that is automatically assigned to your computer whenever you are surfing the Web) from which you access the website; and
3. The date and time of your access.

We use this information to gather statistics about the amount of use the site receives. Again, we do not automatically record information about you as an individual. This information is not shared, sold, or otherwise disseminated by Arizona @ Your Service.

Although Arizona @ Your Service does not currently use cookies, future releases will necessitate their use along with other session enhancement methods. These will be thoroughly evaluated in order to determine their benefit to both the client and the service provider before being implemented. This privacy statement will also be updated to describe exactly what information is being collected and how to disable or refuse cookies.

Information You Provide

Information collected from an application submitted online will be treated in the same manner as the information collected from an application submitted on a hard copy to the applicable State agency. The information you disclose to the agency (either through Arizona @ Your Service or directly) will generally become a matter of public record pursuant to A. R. S. §§ 39-121, et seq., which means that the agency may be required to divulge certain information in response to a public records request or in response to a warrant, subpoena, or other court order.

The applicable State Agency website may require that you enter personal information (e.g., your name, home address, birth date, and social security number when applying for certain benefits and services described on that website. Those services may also reference common infrastructure utilities that are provided by Arizona @ Your Service. These utilities provide the agency with a means to obtain specific information or to facilitate a specific functional requirement of the online transaction being requested.

As an example, Arizona @ Your Service maintains a central credit card payment interface that agencies can use as part of their online services applications. This utility will accept only the pertinent credit card authorization data necessary to validate and fulfill the purchase. The cardholder's name, credit card number, and expiration date are obtained by the utility and used only to complete the credit card payment portion of the online transaction. The data is used only for the fulfillment of the payment and is not retained by Arizona @ Your Service.

Not all agency online applications use the services of Arizona @ Your Service, nor are they required to. Please be assured that your personal information will be held in strictest confidence while Arizona @ Your Service processes your online transaction and will not be shared, sold, or otherwise disseminated to any outside person or entity, except as required or authorized by law.

Please refer to respective benefits and/or services webpages of each individual agency for disclosure of when, how, and to whom specific information will be released to third parties, as specified by A.R.S. § 41-4152 (5) and (6). If you have further questions regarding how a State agency will use the information you submit online, please contact the applicable agency directly.

Access/Accuracy

To the extent that you have provided personal information, the State of Arizona needs to maintain accurate information about you and the benefits/services that you may be applying for and/or personal inquiries. This state agency provides a means of contact on its web site either by email or phone should you need to update or correct such personal information. The state will make reasonable and prudent efforts to incorporate your changes as soon as possible.

Third Party Disclosure

Third party organizations contracted with the State of Arizona may provide certain services available on the state's behalf. Personal information collected through the web portal and/or over-the-counter may be provided to third party service providers to help the state deliver benefits and services. The state will take prudent steps to ensure that third-party organizations are obligated to secure and protect personal information on the State's behalf.

Information Collected from Children

By statute, all State agencies must comply with the Children's Online Privacy Policy Protection Act of 1998 ("COPPA"), requiring parental consent before collecting any personal information from any individual under the age of 13. The text of COPPA is available at <http://www.ftc.gov/ogc/coppa1.htm>.

Systems and Network Security

The State of Arizona and its consultants, as developer and manager of Arizona @ Your Service web portal, have taken several steps to safeguard the integrity of its computer systems and networks. These steps include, but are not limited to individual authentication, the security of transmitted data, security monitoring, auditing, and encryption of your information. Security methods and measures have been integrated into the design, implementation and day-to-day practices of the entire Arizona @ Your Service web portal.

Other External Links Disclaimer

Arizona @ Your Service contains links to various other websites operated by other government agencies, nonprofit organizations and private businesses. When you link to another site, you are no longer on Arizona @ Your Service and this Privacy Statement will not apply to other sites. When you link to another website, you are subject to the privacy policy of that new site. Links to websites outside of State government are offered solely for your convenience. The State of Arizona is not responsible for and has no control over the policies or content of any third-party sites.

Neither the State of Arizona, nor any agency, officer, employee, or contractor of the State of Arizona warrants the accuracy, reliability, or timeliness of any information published by this system, nor endorses any content, viewpoints, products, or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be inaccurate or outdated.

Any person or entity that relies on any information obtained from this system does so at his or her own risk.

Notifications to the Public

In the event of a security breach of personal information and after relevant law enforcement agencies have determined that notifications to the public will not impede a criminal investigation or threaten state and/or national security, the responsible State Agency, Board, and/or Commission will notify its clients/recipients in the most expeditious manner possible (i.e., first class mail and/or email) that is in compliance with federal and state laws.

Privacy Policy Statement Is Subject To Change

This policy may be updated or revised from time to time, so please check back with Arizona @ Your Service periodically in order to receive advance notice of any substantive changes to the manner in which the information you disclose on this website may be collected, used, or disseminated.

Contact Information

To offer comments about Arizona @ Your Service, or about the information presented in this Privacy Policy, contact the Arizona @ Your Service Webmaster:

By Email: **aays@az.gov.**

By Telephone: **(602) 364-4482** By Fax: **(602) 364-4799**

By Mail: **Government Information Technology Agency (GITA)**
 Arizona @ Your Service
 100 N. 15th Ave., Suite 440
 Phoenix, Arizona 85007

If you choose to provide us with personal information – by filling out a form with your personal information and submitting it to us from this website – we use that information to respond to your message and to help us get you the information you have requested. We only share the information you provide with another agency if your inquiry relates to that agency, or as otherwise required by law. Moreover, we do not create an individual profile with the information you provide or give it to any private organizations. Arizona @ Your Service does not collect information for commercial marketing. Any comments collected are themselves subject to the protections of the privacy policy.

Note: This Privacy Policy Statement is subject to change.